

**10/557587****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Davies et al.

**MP20 REG'D PCT 21 NOV 2005**

Serial No. TBD

Art Unit: TBD

Filed: November 21, 2005

Examiner: TBDFor: SUBSTITUTED INDOLES AND A PROCESS FOR  
PREPARING SUBSTITUTED INDOLESCommissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

**MERCK & CO., INC.**

By \_\_\_\_\_ Date \_\_\_\_\_

## INFORMATION DISCLOSURE STATEMENT

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5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

By: Sylvia A. Ayler

Attorney For Applicant(s)

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Date: November 21, 2005

**COMPLETE IF KNOWN**

To be Assigned

WP20 Rec'd 11/27/05 31 NOV 2005

Davies et al.

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21422P

[illegible][illegible]Date  
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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE</b>  <b>STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>COMPLETE IF KNOWN</b>	
				Application Number	To be Assigned
				Filing Date	10/55/537
				First Named Inventor	Davies et al.
				Group Art Unit	To be Assigned
				Examiner Name	To be Assigned
Sheet	2	of	2	Attorney Docket Number	21422P

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
		B. C. Soderberg et al., "Palladium-Catalyzed Synthesis of Indoles by Reductive N-Heteroannulation of 2-Nitrostyrenes", 1997, pp. 5838-5845, Vol. 62, J. Org. Chem.
		B. C. Soderberg et al., "Palladium-Catalyzed Synthesis of Fused Indoles", 1999, pp. 3657-3660, Vol. 40, Tetrahedron Letters.
		B. C. Soderberg et al., "Synthesis of Indoles Isolated from Tricholoma Species", pp. 9731-9734, Vol. 64, J. Org. Chem.
		B. C. Soderberg et al., "Novel Palladium-Catalyzed Synthesis of 1,2-dihydro-4(3H)-Carbazolones", 2002, pp. 1621-1624, Vol. 43, Tetrahedron Letters.
		Y. Watanabe et al., "Palladium Complex-Catalyzed Reductive N-Heterocyclization of Nitroarenes: Novel Synthesis of Indole and 2H-Indole Derivatives", 1994, pp. 3375-3380, Vol. 59, J. Org. Chem.
		S. Tollari et al., "Synthesis of Heterocycles via Palladium-Catalyzed Carbonylation of Ortho-Substituted Organic Nitro Compounds in Relatively Mild Conditions", 1994, pp. 203-214, Vol. 87, J. Molecular Catalysis.
		F. Ragaini et al., "Investigation of the Possible Role of Arylamine Formation in the Ortho-Substituted Nitroarenes Reductive Cyclization Reactions to Afford Heterocycles", 1999, pp. 283-291, Vol. 577, J. of Organometallic Chemistry.
		B. E. Evans et al., "Methods for Drug Discovery: Development of Potent, Selective, Orally Effective Cholecystokinin Antagonists", 1988, pp. 2235-2246, Vol. 31, J. Med. Chem.
		P. Wehman et al., "Subtle Balance between Various Phenanthroline Ligands and Anions in the Palladium-Catalyzed Reductive Carbonylation of Nitrobenzene", 1995, pp. 3751-3761, Vol. 14, Organometallics.
		P. Wehman et al., "Reductive Carbonylation of Aromatic Dinitro Compounds with a Palladium (phenanthroline) <sub>2</sub> (triflate) <sub>2</sub> Catalyst and an Aromatic Carboxylic Acid as Cocatalyst", 1996, pp. 217-218, Chem. Comm.
		P. Wehman et al., "Influence of an Aromatic Carboxylic Acid as Cocatalyst in the Palladium-Catalyzed Reductive Carbonylation of Aromatic Nitro Compounds", 1996, pp. 23-26, Vol. 112, J. of Molecular Catalysis A: Chemical.
		F. Paul et al., "The Palladium-Catalyzed Carbonylation of Nitrobenzene into Phenyl Isocyanate: The Structural Characterization of a Metallacyclic Intermediate", 1998, pp. 2199-2206, Vol. 17, Organometallics.
		F. Paul et al., "Syntheses, Interconversions and reactivity of Heteropalladacycles Made from Aryl Isocyanates and Various Phenanthroline Pd (II) Precursors with Small Molecules", 2002, pp.
		A. M. Echavarren, "Lewis Acid Catalyzed Reactions of Alpha, Beta-Unsaturated N, N-Dimethylhydrazones with 1,4-Benzoquinone, Formation of Indoles by a Novel Oxidative Rearrangement", 1990, pp. 4255-4260, Vol. 55, No. 14, J. Org. Chem.

Examiner Signature		Date Considered	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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